

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ELEAZAR GARCIA,

Plaintiff,

vs.

DAVID W. COOMBS, JR., Special Deputy
U.S. Marshal, in his individual capacity;
JACOB P. BETSWORTH, Special Deputy
U.S. Marshal, in his individual capacity; and
JEFF DAVIS, Sarpy County Sheriff, in his
individual capacity,

Defendants.

4:20CV3049

**MEMORANDUM
AND ORDER**

Plaintiff has filed a Motion to Appoint Counsel (Filing 30). The court cannot routinely appoint counsel in civil cases. In *Davis v. Scott*, 94 F.3d 444, 447 (8th Cir. 1996), the Eighth Circuit Court of Appeals explained that “[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel. . . . The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel” *Id.* (quotation and citation omitted). No such benefit is apparent at this time. Thus, the request for the appointment of counsel will be denied without prejudice.

IT IS ORDERED that Plaintiff’s Motion to Appoint Counsel (Filing 30) is denied without prejudice.

DATED this 8th day of December, 2020.

BY THE COURT:


Richard G. Kopf
Senior United States District Judge